

## UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

KATHLEEN SCHWEER, individually and on )  
 behalf of all others similarly situated, )

Plaintiff(s), )

v. ) Case No. 5:24-cv-01323-JD

ELEVATE HEALTH, LLC, )

v. )

ACQUITY, LLC )

Defendant(s). )

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Acquity, LLC  
 c/o Joshua Grant Kidd, Registered Agent  
 6744 Spencer Street  
 Las Vegas, NV 89119

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) - or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) - you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Amy Sherry Fischer, OBA #16651  
 FOLIART, HUFF, OTTAWAY & BOTTOM  
 201 Robert S. Kerr Avenue, 12th Floor  
 Oklahoma City, Oklahoma 73102

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



**SUMMONS ISSUED:**

1:26 pm, Jul 01, 2025

JOAN KANE, CLERK

By: *Kandice Baule*

*Signed and sealed by the Clerk of the Court or Deputy Clerk.*

Civil Action No. 5:24-cv-01323-JD

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: